

MEMO ENDORSED

December 2, 2019

BY ECF

Hon. Magistrate Judge Ona T. Wang
United States District Court, SDNY
500 Peal Street
New York, New York 10007

Re: Baller Alert, Inc. v. Under Armour, Inc., No. 19-CV-2798 (PAE) (OTW)

Dear Judge Wang:

Along with co-counsel Harness, Dickey & Pierce, we represent Defendant Under Armour, Inc. (“Under Armour”) in this action, but write on behalf of both parties to request a brief adjournment of the settlement conference currently scheduled for Tuesday, December 10, 2019 in this matter.

As Your Honor may recall from our last telephone conference, Defendant Under Armour was seeking to obtain certain information to exchange with Plaintiff in furtherance of settlement discussions that would, at a minimum, facilitate a more productive settlement conference, or perhaps obviate the need for a conference altogether by allowing the parties to resolve this dispute on their own. While the parties remain in pursuit of that objective, it is apparent they need a bit more time to obtain the information, finalize appropriate confidentiality protections, and exchange it. As such, we respectfully request that the conference be adjourned to January 22, 2020, a date we understand the Court is likely available, or another date close in time that works for the Court.

We thank the Court for its attention to this matter.

Respectfully submitted,

/s/ Brian A. Katz
Brian A. Katz

cc: Counsel of Record (via ECF)